

ENTERED

January 02, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

GEOVANI HERNANDEZ,

Petitioner

VS.

UNITED STATES OF AMERICA,

Defendant.

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CIVIL ACTION NO. 7:23-CV-362

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Magistrate Judge's Report and Recommendation (Dkt. No. 8) and Movant's objections to the Report and Recommendation (Dkt. No. 24). The Court has conducted a *de novo* review of the record in this matter as it pertained to the specific objections raised by Movant, pursuant to 28 U.S.C. § 636(b)(1). After having reviewed the Report and Recommendation, Movant's objections, and the record as it pertained thereto, the Court is of the opinion that the conclusions in said Report and Recommendation should be adopted by this Court.

It is, therefore, **ORDERED, ADJUDGED, and DECREED** that the conclusions in United States Magistrate Judge J. Scott Hacker's Report and Recommendation are hereby adopted by this Court. Plaintiff's amended claim against the United States for monetary relief under Rule 41(g) of the Federal Rules of Criminal Procedure is **DISMISSED** based on the doctrine of sovereign immunity, and his amended claims against the individual federal officials under *Bivens* are **DISMISSED** for the failure to state a claim.

The Clerk shall send a copy of this Order to the parties.

SO ORDERED January 2, 2025, at McAllen, Texas.



Randy Crane
Chief United States District Judge